

Order

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2002-37

Proposed Electronic Filing Standards

Michigan Supreme Court Lansing, Michigan

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
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Robert P. Young, Jr.
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Justices

As a part of its ongoing effort to use technology more effectively within the judiciary, the Michigan Supreme Court is considering how to effectuate the electronic filing of documents in state courts. Federal courts in Michigan have implemented e-filing systems, and many local officials have expressed interest in doing likewise. As a consequence of such interest in accessing the courts electronically, the Supreme Court is considering the kind of standards it should promulgate to govern e-filing. The adoption of uniform guidelines not only would benefit the individual efforts of those trial courts now contemplating e-filing, but also would facilitate the future exchange of information among all of our courts and the development of a central data base that would be accessible to the public.

As part of its e-filing study, the Court is examining the proposed standards that have been drafted by the Electronic Filing Subcommittee of the National Consortium for State Court Automation Standards, a joint project of the Conference of State Court Administrators and the National Association for Court Management Joint Technology Committee. The standards, which are intended to serve as a “full service” model for the development of electronic-filing systems for state and federal courts, would:

- Govern access to, and the use, recording, and processing of, electronic records.
- Contain maximum incentives for use and acceptability by courts and lawyers.
- Provide a “road map” for vendors.
- Encourage the transition from paper to electronic records to the extent possible.
- Ensure that e-filing applications can be integrated into a national e-filing network.

We encourage interested persons to review the proposed standards for themselves at the following web address: <http://www.ncsc.dni.us/NCSC/CTP/HTDocs/Standards.htm>. Although the deadline for submitting on-line comments concerning the national standards is October 21, 2002, the Supreme Court will accept comments until January 1, 2003, regarding the suitability of implementing the standards in Michigan. The Court will publish for comment any proposal that results from its e-filing study, and such a proposal also will be considered at a public administrative hearing.

A copy of this order will be given to the secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposed standards may be sent to the Supreme Court Clerk in writing or electronically by January 1, 2003, P.O. Box 30052, Lansing, MI 48909, or MSC_clerk@courts.mi.gov. When filing a comment, please refer to file 2002-37. Your comments and the comments of others will be posted at www.courts.michigan.gov/supremecourt.